

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA	:	<u>SEALED ORDER</u>
- v. -	:	S3 20 Cr. 163 (PKC)
BRANDON SIMPSON,	:	
Defendant.	:	

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WHEREAS, the Coronavirus Aid, Relief, and Economic Securities Act ("CARES Act") findings made by the Judicial Conference of the United States and the March 30, 2020 Standing Order of Chief Judge Colleen McMahon of the Southern District of New York allow for guilty pleas to be taken by video or telephone conference, subject to certain findings made by the District Judge; see Southern District of New York Second Amended Standing Order, 20 MC 176, September 16, 2020;

WHEREAS, an application was made by the United States of America and Brandon Simpson, the defendant, in advance of a plea colloquy for the defendant, seeking to proceed with that colloquy by videoconference pursuant to Section 15002 *et seq.* of the CARES Act. See H.R. 748, Section 15002 *et seq.*, P.L. 116-136, signed into law on March 27, 2020 (noting that if "the district judge in a particular case finds for specific reasons that the plea . . . in that case cannot be further delayed without serious harm to the interests of justice, the plea . . . may be conducted by video

teleconference, or by telephone conference if video teleconferencing is not reasonably available");

WHEREAS, in support of that application, the parties jointly submitted a letter setting forth facts establishing specific reasons to proceed with the defendant's change of plea proceeding via a video teleconference;

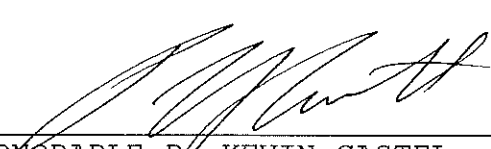
THE COURT HEREBY FINDS that because the defendant consented to proceeding remotely, and for the reasons set forth in the parties' submission, the proceeding could not have been further delayed without serious harm to the interests of justice;

IT IS HEREBY ORDERED that the parties' joint application to proceed with the defendant's change of plea proceeding via video or teleconference is granted for the reasons stated in the parties' joint application; and

IT IS FURTHER ORDERED that the parties' joint application and this Order shall be maintained under seal pending further order of the Court.

SO ORDERED:

Dated: New York, New York
November 4, 2020



HONORABLE P. KEVIN CASTEL
UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF NEW YORK